

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION and
THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a limited
liability company;

PREVAGEN, INC., a corporation
d/b/a/ SUGAR RIVER SUPPLEMENTS;

QUINCY BIOSCIENCE
MANUFACTURING, LLC, a limited
liability company; and

MARK UNDERWOOD, individually and as
an officer of QUINCY BIOSCIENCE
HOLDING COMPANY, INC., QUINCY
BIOSCIENCE, LLC, and PREVAGEN,
INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

**DECLARATION OF MICHAEL DE LEEUW IN SUPPORT OF MOTION FOR
PARTIAL SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56(a)**

Michael de Leeuw hereby declares under penalty of perjury pursuant to 28 U.S.C. § 1746
as follows:

1. I am a member of the law firm Cozen O'Connor, attorneys for Defendant Mark Underwood, in the above-captioned matter, and am familiar with the facts and circumstances of the above-captioned matter. I submit this Declaration in support of the instant motion for partial summary judgment pursuant to Rule 56(a) of the Federal Rules of Civil Procedure.

2. A true and correct copy of the referenced excerpts from the transcript of the deposition of Todd Olson taken on August 4 and August 5, 2020 is attached as **Exhibit 1**.

3. A true and correct copy of the referenced excerpts from the transcript of the deposition of Mark Underwood taken on behalf of Quincy Bioscience, LLC pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure on August 20, 2020 is attached as **Exhibit 2**.

4. A true and correct copy of the referenced excerpts from the transcript of the deposition of Mark Underwood as Individual taken on August 21, 2020 is attached as **Exhibit 3**.

Dated: March 18, 2022
New York, New York

/s/ Michael de Leeuw
Michael de Leeuw